

titis). Relief starts in a few days and improvement continues thereafter. Prostall permanently relieves some cases. However, it is primarily a pain-reducer in time" were false and misleading since the article would not be effective in the relief of pain in prostate hypertrophy.

Further misbranding, Section 502 (e) (1), the label of the article failed to bear the common or usual name of the drug.

DISPOSITION: April 29, 1947. Default decree of condemnation and destruction.

2179. Misbranding of Apiphene. U. S. v. 48 Dozen Jars * * *. (F. D. C. No. 22236. Sample No. 64717-H.)

LIBEL FILED: February 5, 1947, Southern District of New York.

ALLEGED SHIPMENT: Between the approximate dates of September 25 and December 2, 1946, by the Hatfield Laboratories, from Tucson, Ariz.

PRODUCT: 48 dozen jars of *Apiphene* at New York, N. Y. Examination showed that the product consisted essentially of beeswax mixed with some honey.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in circulars entitled "Information on Apiphene Homogenized Comb Honey" and "Information on Apiphene Summary of Research," shipped with the article, were false and misleading since they represented and suggested that the article would be effective in the treatment and prevention of hay fever, sinusitis, asthma, catarrhal deafness, chronic and common colds, and other disorders of the respiratory tract; that it would be effective in promoting an easy rising of the sputum in cases of tuberculosis; and that it would be effective to benefit the respiratory tract, glands of the head and throat, general mucosa, and the glands which control the mucosa of the entire respiratory tract. The article would not be effective for such purposes.

DISPOSITION: June 2, 1947. Hettie Hamper, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

2180. Misbranding of Boncquet Tablets. U. S. v. 31 Bottles * * * and a number of circulars. (F. D. C. No. 19735. Sample No. 23395-H.)

LIBEL FILED: May 1, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about February 16, 1946, by Boncquet Laboratories, from Glendale, Calif.

PRODUCT: 22 75-tablet bottles and 9 200-tablet bottles of *Boncquet Tablets* and a number of circulars entitled "Good News for Tired, Head-Achy Run-Down Men and Women."

LABEL, IN PART: "Boncquet (Bon-Kay) Tablets * * * Vitamin B Complex with Iron and Vitamin A, C, and D."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements and designs in the circular which accompanied the article were false and misleading since they represented and suggested that the article would be effective to provide substances in the formation of blood which are not readily available from common foods; that it would be effective to insure vitality and buoyant health; that it would be effective in the treatment and prevention of tiredness, nervousness, headaches, pains, colds, infections, tooth decay, poor vision, debility, eye troubles, muscular weakness, abnormal changes in the structure of body cells, poor appetite, constipation, flatulence, dyspepsia, lack of stamina, loss of weight, poor hearing, skin disorders, pyorrhea, poor wound healing, digestive disturbances, pneumonia, and baldness; that widespread dietary deficiencies exist in the ingredients supplied by the article; that the ordinary individual can obtain adequate quantities of vitamins and minerals only by exercising extreme care in the selection of diets; and that foods in general are unsatisfactory sources of essential nutrients, and therefore the use of the product would be almost essential. The article would not be effective for those purposes; widespread dietary deficiencies do not exist in the ingredients supplied by the article; the regular diet of ordinary individuals supplies adequate quantities of vitamins and minerals; and foods in general are satisfactory sources of essential nutrients, and the use of the article would therefore not be essential.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: June 6, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2181. **Misbranding of Parsley and Garlic capsules, etc. U. S. v. 15½ Dozen Bottles * * *, etc., and a number of circulars.** (F. D. C. No. 21945. Sample Nos. 36178-H to 36183-H, incl., 36185-H to 36192-H, incl.)

LIBEL FILED: On or about December 30, 1946, Western District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of February 6 and October 31, 1946, by the Battle Creek Dietetic Supply Company, from Battle Creek, Mich.

PRODUCT: 15½ dozen 120-capsule bottles of *Parsley and Garlic*, 18½ dozen 60-capsule bottles of *Hi-A Vitamin*, 17 dozen 50-capsule bottles of *Soy Bean Lecithin with Vitamin D*, 357½ dozen 100-tablet bottles of *Vitamin C 100 Mgm.*, 23 dozen 100-tablet bottles of *Riboflavin Vitamin B₂ (G)*, 23¾ dozen 150-tablet bottles of *Vitamin B Complex Ironated*, 19½ dozen 1-pint bottles of *Malt Syrup with Vitamins A B D*, 29¾ dozen 1-pint bottles of *Vitamin and Mineral Compound*, 36 dozen 1-pound bottles of *Lactose Dextrins Maltose with Dry Lemon Juice*, 32 dozen 500-tablet packages of *Kelp Tablets*, 35 dozen 1-pound cans of *Wheat Germ*, 24¼ dozen 60-wafer packages of *Dicalcium Phosphate Wafers with Viosterol*, 36½ dozen 70-capsule and 140-capsule bottles of *Tonique Capsules*, 21¾ dozen 60-capsule bottles and 17¼ dozen 150-capsule bottles of *Wheat Germ Oil*, and a number of circulars entitled "Health is Wealth" at North Kansas City, Mo.

Examination showed that the *Parsley and Garlic* capsules consisted essentially of garlic, parsley, an oil, and iron; that the *Hi-A Vitamin* capsules consisted essentially of vitamin A in oil; that the *Soy Bean Lecithin with Vitamin D* consisted essentially of lecithin and vitamin D in oil; that the *Vitamin C 100 mgm.* was a white tablet containing vitamin C; that the *Riboflavin Vitamin B₂ (G)* was a black tablet containing riboflavin; that the *Vitamin B Complex Ironated* tablets contained riboflavin, vitamin B₁, a calcium salt, and iron; that the *Malt Syrup with Vitamins A B D* was a viscous liquid containing vitamins A, B₁, and D, and iron; that the *Vitamin and Mineral Compound* was a brown liquid containing vitamins A, B₁, and D, calcium, phosphorous, and iron; that the *Lactose Dextrins Maltose with Dry Lemon Juice* consisted essentially of a lemon-flavored mixture of lactose, dextrins, and maltose; that the *Kelp Tablets* were gray compressed tablets containing small amounts of calcium, iron, and iodine; that the *Wheat Germ* was a yellow powder having the appearance of wheat germ; that the *Dicalcium Phosphate Wafers with Viosterol* was a light brown wafer containing vitamin D, calcium, and phosphorous; that the *Tonique Capsules* consisted essentially of vitamin B₁ and iron; and that the *Wheat Germ Oil* was a yellow saponifiable oil having the appearance of wheat germ oil.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label designation "Health House" was false and misleading since it created the impression that the articles were effective to insure health, whereas they would not be effective for that purpose.

Further misbranding, Section 502 (a), certain statements in the circular accompanying the articles were misleading since they represented and suggested that the articles, when used separately or in combination, were effective to protect the health and compensate for inadequate food intake, to prevent and correct constipation, and to make the user mentally and physically vigorous. The articles, when used separately or in combination, would not be effective for such purposes.

Further misbranding, Section 502 (a), certain statements which appeared in the circular accompanying the articles were false and misleading since these statements represented and suggested that the articles would be effective in the treatment of the following diseases, symptoms, and conditions stated and implied: (*Parsley and Garlic*) " * * * for the relief of the distressing symptoms—headache, dizziness, involuntary naps, tiredness, sluggishness * * *"; (*Hi-A Vitamin*) " * * * Indicated in night blindness and respiratory infections * * *"; (*Soy Bean Lecithin with Vitamin D*)